

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

STRUCTURED ASSET SALES, LLC,

Plaintiff,

v.

EDWARD CHRISTOPHER SHEERAN p/k/a/
ED SHEERAN, SONY/ATV MUSIC PUBLISHING,
LLC, ATLANTIC RECORDING CORPORATION
d/b/a ATLANTIC RECORDS, BDI MUSIC LTD.,
BUCKS MUSIC GROUP LTD., THE ROYALTY
NETWORK, INC., DAVID PLATZ MUSIC (USA)
INC., AMY WADGE, JAKE GOSLING, MARK
“SPIKE” STENT, STONE DIAMOND MUSIC
CORP., CHEWIETOURS LP, EMI MUSIC
PUBLISHING, SONY MUSIC ENTERTAINMENT
INC., SONY CORPORATION OF AMERICA, SONY
CORPORATION, MESSINA TOURING GROUP,
LLC, and DOES 1 THROUGH 10,

Defendants

No. 20-cv-4329 (RA)

**DECLARATION OF HILLEL I.
PARNESS IN OPPOSITION TO
THE SONY DEFENDANTS’
MOTION TO DISMISS COUNTS
II AND III OF THE COMPLAINT**

Hillel I. Parness, being of full age, hereby certifies and states:

1. I am counsel for the Plaintiff, Structured Asset Sales, LLC (“SAS” or “Plaintiff”) in the above-referenced action. I submit this Declaration in further support of SAS’s Opposition to the Sony Defendants’ Motion To Dismiss Counts II And III Of The Complaint.

2. Attached hereto as **Exhibit A** is a true and correct copy of the March 9, 2020 Opinion of the Ninth Circuit Court of Appeals, sitting *en banc*, in the matter of *Skidmore v. Led Zeppelin*, No. 16-56057 & No. 16-56287 (*Skidmore* ECF 181-1).

3. Attached hereto as **Exhibit B** is a true and correct copy of a March 19, 2020 letter from Hillel Parness to Donald Zakarin in connection with the matter of *Structured Asset Sales*,

LLC v. Sheeran, et al., 1:18-cv-05839-LLS-OTW (Jun. 28, 2018) (“SAS I”).

4. Attached hereto as **Exhibit C** is a true and correct copy of the March 24, 2020 Opinion and Order in the matter of *Griffin, et al. v. Sheeran, et al.*, 1:17-cv-05221-LLS-OTW (“Griffin”) (Griffin ECF 121).

5. Attached hereto as **Exhibit D** is a true and correct copy of the April 16, 2020 Order in *SAS I* (SAS I ECF 151).

6. Attached hereto as **Exhibit E** is a true and correct copy of a March 26, 2020 letter from Donald Zakarin to Hillel Parness in connection with *SAS I*.

7. Attached hereto as **Exhibit F** is a true and correct copy of a April 7, 2020 letter from Hillel Parness to Judge Stanton in connection with *SAS I* (SAS I ECF 145).

8. Attached hereto as **Exhibit G** is a true and correct copy of a April 7, 2020 letter from Hillel Parness to Donald Zakarin in connection with *SAS I*.

9. Attached hereto as **Exhibit G** is a true and correct copy of an April 8, 2020 letter from Donald Zakarin to Judge Stanton in connection with *SAS I* (SAS I ECF 146).

10. Attached hereto as **Exhibit H** is a true and correct copy of an April 8, 2020 letter from Donald Zakarin to Judge Stanton in connection with *SAS I* (SAS I ECF 146).

11. Attached hereto as **Exhibit I** is a true and correct copy of an April 8, 2020 letter from Hillel Parness to Judge Stanton in connection with *SAS I* (SAS I ECF 147).

12. Attached hereto as **Exhibit J** is a true and correct copy of an April 8, 2020 letter from Hillel Parness to Judge Stanton in connection with *SAS I* (SAS I ECF 148).

13. Attached hereto as **Exhibit K** is a true and correct copy of an April 10, 2020 letter from Donald Zakarin to Judge Stanton in connection with *SAS I* (SAS I ECF 149).

14. Attached hereto as **Exhibit L** is a true and correct copy of an April 13, 2020 letter from Hillel Parness to Judge Stanton in connection with *SAS I* (*SAS I* ECF 150).

15. Attached hereto as **Exhibit M** is a true and correct copy of Registration Number PA0002238083, issued by the United States Copyright Office on March 24, 2020.

16. Attached hereto as **Exhibit N** is a true and correct copy of an May 7, 2020 letter from Hillel Parness to Judge Stanton in connection with *SAS I* (*SAS I* ECF 156).

17. Attached hereto as **Exhibit O** is a true and correct copy of an May 11, 2020 letter from Donald Zakarin to Judge Stanton in connection with *SAS I* (*SAS I* ECF 161).

18. Attached hereto as **Exhibit P** is a true and correct copy of an May 12, 2020 letter from Hillel Parness to Judge Stanton in connection with *SAS I* (*SAS I* ECF 163).

19. Attached hereto as **Exhibit Q** is a true and correct copy of the May 13, 2020 Order issued in *SAS I* (*SAS I* ECF 164).

20. Attached hereto as **Exhibit R** is a true and correct copy of an May 22, 2020 email exchange between Hillel Parness and Donald Zakarin in connection with *SAS I*.

21. Attached hereto as **Exhibit S** is a true and correct copy of the May 26, 2020 Endorsement issued in *SAS I* (*SAS I* ECF 168).

22. Attached hereto as **Exhibit T** is a true and correct copy of a June 12, 2020 and June 19, 2020 email exchange between Hillel Parness and Donald Zakarin in connection with *SAS I*.

23. Attached hereto as **Exhibit U** is a true and correct copy of a September 7, 2020 and September 9, 2020 email exchange between Hillel Parness and Donald Zakarin in connection with the current action (“SAS II”).

24. Attached hereto as **Exhibit V** are true and correct copies of the following sources:

(i) Copinger and Skone James on Copyright, 17th Ed., § K, 21-402; (ii) Copyright, Designs and Patents Act 1988, 1988 Ch. 48 § 113; and (iii) Limitation Act 1980, 1980 Ch. 58 § 2.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 2, 2020 in Englewood, New Jersey.

/s/ Hillel I. Parness

Hillel I. Parness